

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

ROBERT (BOB) ROSS;

Plaintiff,

v.

ASSOCIATION OF PROFESSIONAL  
FLIGHT ATTENDANTS,  
MCGAUGHEY, REBER AND  
ASSOCIATES, INC. JULIE  
HENDRICK AND ERIK HARRIS,  
DEFENDANTS

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CIVIL ACTION NO. 4:22-CV-00343

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**DEFENDANT'S FIRST AMENDED MOTION FOR EXTENSION OF TIME TO FILE  
ORIGINAL ANSWER**

COMES NOW Defendant, McGaughey, Reber and Associates, Inc., by and through counsel, Michael R. Rake, and moves this Court to allow Defendant McGaughey, Reber and Associates more time to respond to Plaintiff's Original Complaint, and in support of said motion, state as follows:

1. Plaintiff's Original Complaint was served on the Texas Secretary of State's office, and not on M. S. McGaughey, the agent for service of process for the Entity as alleged in the Affidavit of Service. The service was executed at the address for the Secretary of State, and no attempt, to Defendant's knowledge was ever made to serve Mr. McGaughey at his address;
2. Defendant, McGaughey, Reber and Associates, Inc. nor its agent has received a copy of the citation from the Secretary of State.

3. Defendant was first aware of the service when another Defendant's attorney  
DEFENDANT, MCGAUGHEY, REBER AND ASSOCIATES, INC., MOTION FOR EXTENSION OF  
TIME TO FILE AN ORIGINAL ANSWER

forwarded the Affidavit of Service by e-mail to the undersigned Attorney.

4. This Defendant requests a 30 day extension, or a lesser time, should the Court chose, to file an Answer.
5. Plaintiff's Attorney has agreed to Defendant's Extension of time. (See attached e-mail.)

Defendant prays that the Court grant this Motion for extension of time.

Respectfully submitted,

*/S/ Michael R. Rake*

**Michael R. Rake, Attorney at Law**

**SB # 16487600**

P.O. Box 1556

Lake Dallas, TX 75065

Tel. & Fax: 940-498-2103

E-mail: [mrake1@mrakeattorney.com](mailto:mrake1@mrakeattorney.com)

ATTORNEY FOR DEFENDANT,  
MCGAUGHEY, REBER AND ASSOCIATES, INC.

**Certificate of Service**

This certifies that this document was served in accordance with the Federal Rules of Civil Procedure on May 31, 2022.

*/S/ Michael R. Rake*

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Michael Rake

**Certificate of Conference**

This certifies that Defendant's Attorney received the attached e-mail agreeing to Defendant's Motion.

*/S/ Michael R. Rake*

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Michael R. Rake

DEFENDANT, MCGAUGHEY, REBER AND ASSOCIATES, INC., MOTION FOR EXTENSION OF TIME TO FILE AN ORIGINAL ANSWER

**Michael Rake**

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**From:** Kerri Phillips <Kerri@KDphillipslaw.com>  
**Sent:** Friday, May 27, 2022 12:44 PM  
**To:** Michael Rake  
**Cc:** Heather Abreu; Stephanie Lewis  
**Subject:** RE: 4:22-CV-00343 Ross vs. APFA, et.al

Mr. Rake,

I apologize for not being available earlier today, I was pre-occupied with other matters. I'm attaching my paralegal, Stephanie, and co-counsel at my firm, Heather. You may always reach out to either of them if I am unavailable.

We are agreeable to the 30-day extension to filing the answer.

Thank you,



**Kerri Phillips**

**Attorney**

KD Phillips Law Firm, PLLC

Phone: 972-327-5800 Ext. 1001

Cell: 214-497-0268

Fax: 940-400-0089

Email: [Kerri@KDphillipslaw.com](mailto:Kerri@KDphillipslaw.com)

5700 Tennyson Parkway

Suite 300

Plano, TX 75024

[www.KDphillipslaw.com](http://www.KDphillipslaw.com)